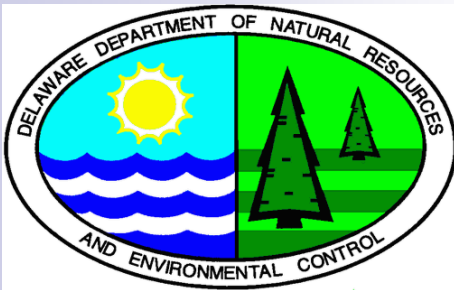




## **7 DE Admin Code 1138 Section 14**

# ***Miscellaneous Parts or Products Surface Coating Operations***



**Public Hearing  
January 5, 2010**

***Blue Skies Delaware; Clean Air for Life***

# Clean Air Act Amendments of 1990

- Congress identified 189 Hazardous Air Pollutants or HAPs
- Congress directed the EPA
  - To identify emission sources of those 189 HAPs and
  - To issue regulations to reduce HAPs emissions from those sources



# Clean Air Act Amendments of 1990

- Congress directed the EPA to
  - Begin with those industrial facilities that typically have large HAPs emissions (**major sources**)
  - Only later, move on to those facilities that typically have small HAPs emissions (**area sources**)



# Clean Air Act Amendments of 1990

- EPA activities on **major sources**
  - 1992 - EPA published its initial listing of predominately major source categories
  - 1993 – 2004 - EPA issued over 100 regulations addressing HAPs emissions from a wide variety of major sources, **including ones for surface coating of miscellaneous parts or products**
  - 2005 and on - EPA continues, but most resources have moved on to **area sources**



# **Clean Air Act Amendments of 1990**

## **The Federal Area Source Air Toxics Program**

**As directed by Congress in 1990**



***Blue Skies Delaware; Clean Air for Life***



# Area Source Air Toxics Program

- Congress required EPA to
  - **Identify** 30+ **HAPs** that present the greatest threat to public health
  - **Identify** types of sources that emit 90% of these 30+ **HAPs**
  - **Issue** regulations to reduce adverse health effects due to the emission of HAPs from these small facilities



# Area Source Air Toxics Program

- EPA activities on **area sources**
- 1999 - EPA published its listing of **33 HAPs** having the greatest health impact (*in hearing handouts*)
- 1999 – 2002 - EPA identified **62 additional** area source categories to be addressed (*in hearing handout for the 70 total categories*)
- 2007 - EPA issued its first regulation for one of these additional **62 area sources**



# **Which Brings Us to Tonight's Public Hearing**





# Area Source Air Toxics Program

- On January 9, 2008, EPA issued another area source standard
- Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources
- 40 CFR Part 63 Subpart HHHHHH  
(Sub 6Hs)
- Federal adoptions of Area Source Standards lead to internal Departmental review



# **DE's Area Source Air Toxics Program**

- **Review of Federal Area Source Standards**
  - **Are there any Delaware sources?**
  - **How do the Federal requirements compare to existing Delaware air regulations?**
  - **Do the Federal requirements adequately meet the needs of the public, the regulated community, and Departmental?**
  - **Are additional communications and outreach needed?**



# Results of Departmental Review of Sub 6Hs

- There were Delaware sources
- There were notable differences between the **Sub 6Hs** requirements and Delaware's regulations or permits
  - Different pollutants being controlled
  - Different control strategy involved
  - Limited best management practices
- The Department concluded there was a need to adopt **Sub 6Hs** under DE's Area Source Air Toxics program



# Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources

## 40 CFR Part 63 Subpart HHHHHH



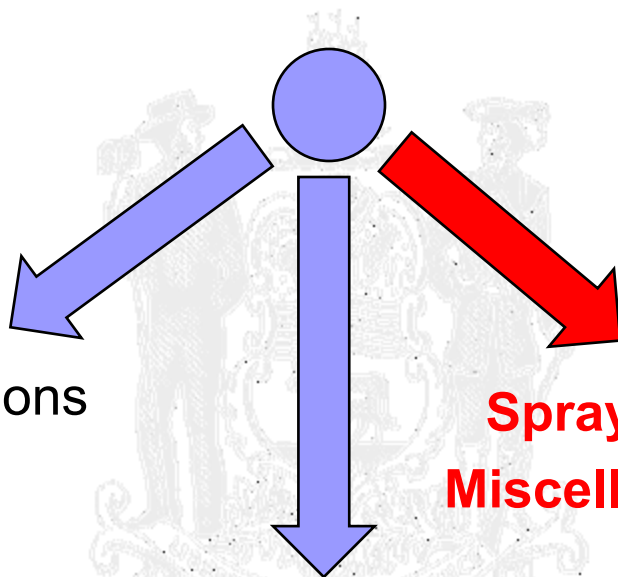
Paint Stripping Operations  
Section 13



Spray Coating Operations for  
Motor Vehicles or Mobile Equipment  
Section 15



Spray Coating Operations for  
Miscellaneous Parts or Products  
Section 14



# Section 14 – Existing Delaware Sources

- Miscellaneous Parts or Products Surface Coating Operations



# Section 14 – Differences under Sub 6Hs

- **Different Pollutants – “Target HAPs”**

- Cd    ▪ Cr    ▪ Pb    ▪ Mn    ▪ Ni



- **Different Control Strategy**

- Required use of enclosures
- Required use of high efficiency (98%) filters on enclosure exhausts
- Limited spray application to **trained** painters





# Provides Best Management Practices

- **Installing** pressure monitoring device on filters
- **Monitoring** the filter pressure at least daily
- **Only operating** when the filter pressure is within the manufacturer's recommended range
- **Taking corrective actions** when the filter malfunctions
- **Maintaining** records to demonstrate proper operation and maintenance



# DNREC's Proposed Section 14

- Draft Section 14 of Regulation 1138 was presented in three public workshops held in Sept. 2009
- Proposed Section 14 appeared in the December 1, 2009 Delaware Register of Regulations



Office of the Registrar of Regulations,  
Legislative Council,  
State of Delaware



# Errata Found in Proposed Section 14

## Department is recommending corrections

- Spelling out “target HAPs” in its initial use in 14.1.1
- Replacing “paint” with “coatings” to provide consistency within Section 14, as well as, with other Delaware Air Regulations
- *Revised proposed Section 14 is included in hearing handouts, it shows each correction*



**In closing**  
**The Department**  
**Would like to add**



# The Department Exhibits Demonstrate

## The Department has

- **Met all Statutory and Departmental** requirements throughout the development of Section 14
- **Maintained open communications** with potential affected sources throughout the development process
- **Provided the public** with complete, timely information on the Section 14 Regulatory Web Page



# “Target HAPs” - Adverse Health Effects

## Carcinogenic Effects

EPA classified some “Target HAPs” as

- Known Carcinogens
- Probable Carcinogens

## Chronic Non-carcinogenic Effects

Other “Target HAPs” contribute to disease in

- Respiratory Systems
- Central Nervous Systems
- Human Development, especially fetus and children





For the latest information,  
follow the ongoing development of  
**Section 14 Regulatory Web Page**

[www.awm.delaware.gov/Info/Regs/Pages/Section14.aspx](http://www.awm.delaware.gov/Info/Regs/Pages/Section14.aspx)

